



Reprinted  
February 27, 2002

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## ENGROSSED HOUSE BILL No. 1050

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DIGEST OF HB 1050 (Updated February 26, 2002 3:43 PM - DI 77)

**Citations Affected:** Noncode.

**Synopsis:** Commission on mental health. Adds a for-profit psychiatric provider to the Indiana commission on mental health. Extends the expiration of the commission until January 1, 2004.

**Effective:** December 31, 2001 (retroactive).

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### Crosby, Brown C, Scholer, Reske

(SENATE SPONSORS — JOHNSON, BLADE)

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January 8, 2002, read first time and referred to Committee on Public Health.  
January 16, 2002, amended, reported — Do Pass.  
January 22, 2002, read second time, amended, ordered engrossed.  
January 23, 2002, engrossed. Read third time, passed. Yeas 92, nays 3.

SENATE ACTION

February 1, 2002, read first time and referred to Committee on Rules and Legislative Procedure.  
February 21, 2002, amended, reported favorably — Do Pass.  
February 26, 2002, read second time, amended, ordered engrossed.

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EH 1050—LS 6591/DI 77+



Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## ENGROSSED HOUSE BILL No. 1050

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A BILL FOR AN ACT concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. P.L.37-1998, SECTION 3, IS AMENDED TO READ  
2 AS FOLLOWS [EFFECTIVE DECEMBER 31, 2001  
3 (RETROACTIVE)]: SECTION 3. (a) As used in this SECTION,  
4 "commission" refers to the Indiana commission on mental health  
5 established by this SECTION.  
6 (b) The Indiana commission on mental health is established.  
7 (c) The commission consists of sixteen (16) members **determined**  
8 **as follows:**  
9 (1) The speaker of the house of representatives and the president  
10 pro tempore of the senate shall each appoint two (2) legislative  
11 members, who may not be from the same political party, to serve  
12 on the commission.  
13 (2) The governor shall appoint ~~twelve (12)~~ **thirteen (13)** lay  
14 members, not more than ~~six (6)~~ **seven (7)** of whom may be from  
15 the same political party, to serve on the commission as follows:  
16 (1) **(A)** Four (4) at-large members, not more than two (2) of  
17 whom may be from the same political party.  
18 (2) **(B)** Two (2) consumers of mental health services.

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- 1           ~~(3)~~ (C) Two (2) representatives of different advocacy groups  
 2           for consumers of mental health services.  
 3           ~~(4)~~ (D) Two (2) members of families of consumers of mental  
 4           health services.  
 5           ~~(5)~~ (E) ~~Two (2)~~ **Three (3)** members who represent mental  
 6           health providers. **One (1) of the members appointed under**  
 7           **this clause must be a representative of a for-profit**  
 8           **psychiatric provider.** One (1) of the members appointed  
 9           under this ~~subdivision~~ **clause** must be a physician licensed  
 10          under IC 25-22.5.  
 11          (d) Except for the members appointed under subsection ~~(c)(5)~~;  
 12          **(c)(2)(E)**, the members of the commission may not have a financial  
 13          interest in the subject matter to be studied by the commission.  
 14          (e) The chairman of the legislative council shall designate a  
 15          legislative member of the commission to serve as chairman of the  
 16          commission.  
 17          (f) Each legislative member and each lay member of the  
 18          commission is entitled to receive the same per diem, mileage, and  
 19          travel allowances paid to individuals serving as legislative and lay  
 20          members, respectively, on interim study committees established by the  
 21          legislative council.  
 22          (g) The commission shall do the following:  
 23               (1) Study and evaluate the funding system for managed care  
 24               providers of mental health services.  
 25               (2) Review and make specific recommendations regarding the  
 26               provision of mental health services delivered by community  
 27               managed care providers and state operated hospitals.  
 28               (3) Review and make recommendations regarding any unmet need  
 29               for public supported mental health services in any specific  
 30               geographic area or throughout Indiana. In formulating these  
 31               recommendations, the commission shall consider the need,  
 32               feasibility, and desirability of including additional organizations  
 33               in the network of managed care providers.  
 34               (4) Review the results of the actuarial study which must be  
 35               submitted by the division of mental health **and addiction** to the  
 36               commission not later than thirty (30) days after completion of the  
 37               actuarial study.  
 38               (5) Make recommendations regarding the application of the  
 39               actuarial study by the division of mental health **and addiction** to  
 40               the determination of service needs, eligibility criteria, payment,  
 41               and prioritization of service.  
 42          ~~(h)~~ **The commission shall submit recommendations under**



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1 subsection (g) to the secretary of the family and social services  
2 administration and to the legislative council before July 1, 1998:

3 (j) (h) The commission shall:

4 (1) monitor the implementation of managed care programs for all  
5 populations of the mentally ill that are eligible for care that is paid  
6 for in part or in whole by the state; and

7 (2) make recommendations regarding the commission's findings  
8 under subdivision (1) to the appropriate division or department.

9 (j) (i) This SECTION expires January 1, ~~2002~~: **2004**.

10 SECTION 2. **An emergency is declared for this act.**

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1050, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 7 through 18, begin a new paragraph and insert:

"(c) The commission consists of ~~sixteen (16)~~ **twenty (20)** members determined as follows:

**(1) The chairperson and ranking minority member of the house public health committee are members of the commission.**

**(2) The chairperson and ranking minority member of the senate health and provider services committee are members of the commission.**

**(3)** The speaker of the house of representatives and the president pro tempore of the senate shall each appoint two (2) legislative members, who may not be from the same political party, to serve on the commission.

**(4)** The governor shall appoint twelve (12) lay members, not more than six (6) of whom may be from the same political party, to serve on the commission as follows:

~~(1)~~ **(A)** Four (4) at-large members, not more than two (2) of whom may be from the same political party.

~~(2)~~ **(B)** Two (2) consumers of mental health services.

~~(3)~~ **(C)** Two (2) representatives of different advocacy groups for consumers of mental health services.

~~(4)~~ **(D)** Two (2) members of families of consumers of mental health services.

~~(5)~~ **(E)** Two (2) members who represent mental health providers. One (1) of the members appointed under this ~~subdivision~~ **clause** must be a physician licensed under IC 25-22.5."

Page 2, delete lines 1 through 5.

Page 2, line 6, strike "(c)(5)," and insert "**(c)(4)(E)**,".

and when so amended that said bill do pass.

(Reference is to HB 1050 as introduced.)

BROWN C, Chair

Committee Vote: yeas 13, nays 0.

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## HOUSE MOTION

Mr. Speaker: I move that House Bill 1050 be amended to read as follows:

Page 2, line 39, after "health" insert "**and addiction**".

Page 2, line 42, after "health" insert "**and addiction**".

(Reference is to HB 1050 as printed January 17, 2002.)

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred House Bill No. 1050, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 7, reset in roman "sixteen (16)".

Page 1, line 7, delete "twenty (20)".

Page 1, delete lines 9 through 14.

Page 1, line 15, delete "(3)" and insert "(1)".

Page 2, line 1, delete "(4)" and insert "(2)".

Page 2, line 16, delete "(c)(4)(E)" and insert "(c)(2)(E)".

and when so amended that said bill do pass.

(Reference is to HB 1050 as reprinted January 23, 2002.)

GARTON, Chairperson

Committee Vote: Yeas 7, Nays 0.

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## SENATE MOTION

Mr. President: I move that Engrossed House Bill 1050 be amended to read as follows:

Page 1, line 13, strike "twelve (12)" and insert "**thirteen (13)**".

Page 1, line 14, strike "six (6)" and insert "**seven (7)**".

Page 2, line 5, strike "Two (2)" and insert "**Three (3)**".

Page 2, line 6, after "providers." insert "**One (1) of the members appointed under this clause must be a representative of a for-profit psychiatric provider.**".

(Reference is to EHB 1050 as printed February 22, 2002.)

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